

11-04-05

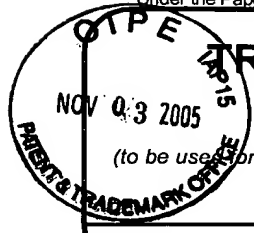
AF 2W

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>Application Number</b>		09/788,179
<b>Filing Date</b>		February 16, 2001
<b>First Named Inventor</b>		Timothy P. Meier
<b>Group Art Unit</b>		2623
<b>Examiner Name</b>		Brian Q. Le
<b>Total Number of Pages in This Submission</b>	18	<b>Attorney Docket Number</b>
		283-304

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication To Record Substance Of Interview (2 pgs.) and Return Mail Room Postcard.
<b>Remarks</b> The Commissioner is authorized to charge any additional fees to Deposit Account No. 50-0289.		
<b>Express Mail Label No. EV554216220US</b>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

<b>Firm and Individual name</b>	Wall Marjama & Bilinski LLP	<b>Reg. No.</b> 37,283
<b>Signature</b>	<i>George S. Blasiak</i>	
<b>Date</b>	November 3, 2005	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as express mail (Express Mail Label No. EV554216220US) in an envelope addressed to: Mail Stop: AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:		
		November 3, 2005
<b>Typed or printed name</b>	Barbara A. Saltsman	
<b>Signature</b>	<i>Barbara A. Saltsman</i>	<b>Date</b> November 3, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Express Mail Label No. EV554216220US  
Attorney Docket No. 283-304  
**PATENT**

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail addressed to Mail Stop: AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on November 3, 2005. Express Mail Label No. EV554216220US.

*Barbara A. Saltsman*  
Barbara A. Saltsman

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 09/788,179 Confirmation No.: 5313  
Applicant: Timothy P. Meier, et al.  
Filed: February 16, 2001  
Art Unit: 2623  
Examiner: Brian Q. Le  
Docket No.: 283-304  
Customer No.: 20874

Mail Stop: AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**COMMUNICATION TO RECORD SUBSTANCE OF TELEPHONE INTERVIEW**

Sir:

In a telephone interview dated October 19, 2005 between applicants' representative George S. Blasiak and Examiner Le, the applicants' representative stated that although the applicants continue to regard their invention distinguished from the primary reference U. S. Patent No. 6,705,531 to Norton et al. ("Norton"), alone or in combination with another reference of record that Norton, in view of its filing date, does not qualify as prior art.

The Examiner concurred that Norton does not qualify as prior art and indicated that the rejections over Norton would be withdrawn. The Examiner also indicated that unless a supervisory Examiner objected, the "final" status of the application would be withdrawn and

U. S. Patent Application No.: 09/788,179  
Communication to Record Substance of Telephone Interview Dated November 3, 2005

that the applicants would be free to introduce new art references in a response to the present final rejection for consideration by the Examiner.

The Examiner stated that he would conduct a supplementary search and examination and allow claims 21-47 of the application unless new grounds for rejecting claims 21-47 could be substantiated pursuant to the supplemental search and examination.

Accordingly, in view of the above remarks, applicants believe the present application to be in condition for allowance and respectfully request reconsideration and passage to allowance of the application.

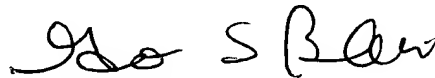
If the Examiner believes that contact with applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call applicants' representative at the phone number listed below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

Date: November 3, 2005



George S. Blasiak  
Registration No. 37,283  
WALL MARJAMA & BILINSKI LLP  
101 South Salina Street  
Suite 400  
Syracuse, NY 13202  
315-425-9000  
315-425-9114 (FAX)

Customer No. 20874

GSB/bs